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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,096	02/16/2001	Scott Allen Stouffer	05274.00006	3217
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FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			EXAMINER JACKSON, JAKIEDA R	
			ART UNIT 2626	PAPER NUMBER
			MAIL DATE 07/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/784,096

Applicant(s)

STOUFFER ET AL.

Examiner

Jakieda R. Jackson

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9,11,15,17-22,24,26,27,36-39,41,43-48,59 and 60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9,11,15,17-22,24,26,27,36-39,41,43-48 and 59-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 5, 2007 has been entered.

Response to Arguments

2. Applicant argues that as described in claim 1, an application is initiated using a data channel of a mobile telecommunications network. A user speaks audible input over a voice channel, and the user's spoken input is then automatically geocoded to determine location information. The geocoded location is then provided to the application. Applicant argues that Mannings does not anticipate claim 1. Mannings disclose a navigation information system for generating guidance information for mobile units. A mobile unit, such as an in-car navigation device, communicates with a server using dual-tone multi-frequency (DTMF) signals. Applicant argues that in Mannings, a user provides information either by telephone keypad to send DTMF signals, or by speaking with a human operator (column 8, lines 28-39). There is no teaching in Mannings of receiving spoken audible input from a user and automatically geocoding the input to obtain location information. Applicants' arguments are persuasive but are moot in view of new grounds of rejections.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 3, 15, 17 and 59-60** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings et al. (USPN 6,111,539), hereinafter referenced as Mannings in view of Wallner (USPN 6,703,947).

Regarding **claims 1, 15 and 59-60**, Mannings discloses a method, computer program and a system for obtaining data in a mobile telecommunications network (cellular telephone network) for providing voice channel services in a wireless telecommunication network (column 7, lines 11-15 with column 9, lines 46-50), comprising:

a processor (figure 1, element 16);

a memory (figure 1, element 17-18) for storing computer readable instructions, such that when executed (column 7, lines 11-40), the system performs the steps of:

initiating an application using a data channel (a request for directions) of the mobile telecommunication network (mobile part; column 7, lines 41-47 with column 9, lines 45-50);

receiving audible input spoken by a user over a voice channel of the mobile telecommunication network (cellular telephone couples this audio signal into its speech input path; column 8, lines 3-7);

converting the audible input to application data (column 8, lines 36-58); and

providing the application data to the application (column 8, lines 36-58), but does not specifically teach automatically determining location information by geocoding the received audible input.

Wallner discloses a method, computer program and system comprising automatically determining location information by geocoding the received audible input (instead of typing the user speaks sad location information; column 5, line 51 – column 6, line 8), for flexibility.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings method, computer program and system such that it automatically determining location information by geocoding the received audible input, as taught by Wallner, to automatically receive geocoding coordinates from the engine and to be notified of the map, by having different input devices (column 5, line 51 – column 6, line 8).

Regarding **claims 3 and 17**, Mannings discloses the method and system, wherein the location information comprises latitude and longitude (latitude and longitude data; column 7, line 67).

Art Unit: 2626

5. **Claims 4, 18 and 26-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Wallner and in further view of Harada (USPN 6,061,003).

Regarding **claims 4 and 18**, they are rejected for the same reasons as set forth in claim 1, in addition, Mannings in view of Wallner disclose the telecommunications method and system, wherein converting the audible input to application data using the voice channel of the telecommunications network (Mannings; column 7, line 41 – column 8, line 58 and column 9, lines 45-50), but does not specifically teach a method further comprising the steps of loading a first data file, comparing a first audible input and loading a second data file.

Harada discloses a method comprising:

loading a first data file corresponding to a first set of localities (column 6, lines 1-35);

comparing a first audible input received to the first data file to determine a first selected locality (column 6, lines 1-35); and

loading a second data file corresponding to a second set of localities, wherein each of the localities in the second set are geographically located within the selected locality (column 6, lines 1-35), to obtain data suitable for navigation.

Therefore, it would have been obvious to one ordinary skilled in the art to modify Mannings in view of Wallner's method wherein it comprises the steps of loading a first data file, comparing a first audible input and loading a second data file, as taught by

Art Unit: 2626

Harada, to provide a map acquisition system which can properly obtain useful map data at each point on the way to a destination so that a sufficient amount of map data can be obtained (column 2, lines 20-25).

Regarding **claim 26**, Mannings in view of Wallner disclose a telecommunications system, but does not specifically teach further performing the steps of:

loading a third data file corresponding to a third set of localities, each of the localities in the third set geographically located within the second set of localities; and
comparing the first audible input too the third data file to determine a location specified by the first audible input.

Harada discloses a system teach further performing the steps of:

loading a third data file corresponding to a third set of localities, each of the localities in the third set geographically located within the second set of localities (cities and districts in the selected prefecture; column 6, lines 1-35); and

comparing the first audible input too the third data file to determine a location specified by the first audible input (column 6, lines 1-35), to obtain data suitable for navigation.

Therefore, it would have been obvious to one ordinary skilled in the art to modify Mannings in view of Wallner's method wherein it comprises the steps of loading a third data file and comparing a first audible input, as taught by Harada, to provide a map acquisition system which can properly obtain useful map data at watch point on the way to a destination so that a sufficient amount of map data can be obtained (column 2, lines 20-25).

Regarding **claim 27**, Mannings discloses a system wherein the system determines location information based on the selected localities (column 8, lines 59-67 with column 10, lines 45-52 and column 13, lines 1-45).

6. **Claims 5, 7, 11, 19 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Wallner and Harada and in further view of Kato.

Regarding **claims 5, 11 and 19**, Mannings in view of Wallner and Harada disclose a telecommunications method and system, but does not specifically teach the method and system, further comprising repeating the comparing and loading steps and determining the locality.

Kato discloses a method and system further comprising:

- (d) repeating the comparing and loading steps while a physical location is not yet identified within a predetermined degree of precision (column 3, lines 1-5); and
- (e) determining the location based on the selected localities (column 4, line 64 – column 5, line 3), to obtain an improved scheme for searching.

Therefore, it would have been obvious to one ordinary skilled in the art modify Mannings in view of Wallner and Harada's method and system wherein it repeats the comparing and loading steps and determines the locality, as taught by Kato, for transmitting the appropriate information regarding the route(s) located by search to the driver of the vehicle (column 1, lines 10-19).

Regarding **claims 7 and 22**, Mannings in view of Wallner and Harada disclose a telecommunications method and system, but does not specifically teach wherein at least one sets of localites includes a landmark.

Kato discloses the method and system, wherein at least one of the sets of localities includes a landmark (figure 2, element, F14), comprising:

when the selected locality is a landmark, determining location information corresponding to the selected landmark (column 10, lines 7-12), to obtain an improved scheme for searching.

Therefore, it would have been obvious to one ordinary skilled in the art modify Mannings in view of Wallner and Harada's method and system wherein one of the sets of localities include a landmark, as taught by Kato, to use in searching for one desired destination (column 9, lines 56-67).

7. **Claims 6 and 20-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Wallner and Harada (USPN 6,061,003) and in further view of Ishii et al. (USPN 6,067,521) hereinafter referenced as Ishii.

Regarding **claim 6**, Mannings in view of Wallner and Harada disclose the method and system, further comprising:

loading a last data file in addition to the presently loaded data file (Harada; column 6, lines 1-37);

comparing a last audible input to the loaded data files to determine a last selected locality (Harada; column 6, lines 1-37); and

determining the location information based on the selected localities (Harada; column 6, lines 1-37), but lacks repeating the comparing and loading steps a predetermined number of times.

Ishii discloses a method a system wherein steps are repeated a predetermined number of times (speech repeatedly inputted a predetermined number of times; column 19, lines 24-28), to obtain a high recognition degree order.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Wallner and Harada's method and system such that it repeats steps a predetermined number of times, as taught by Ishii, to recognize object words recognized by a continuous input audio signal, so that a recognizing state at that time can be easily judged.

Regarding **claims 20- 21**, they are interpreted and rejected for the same reasons as set forth in **claim 6**.

8. **Claims 9 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Wallner and Harada and in further view of Heck (U.S. Patent No. 6,671,672).

Regarding **claims 9 and 24**, Manning in view of Wallner and Harada disclose a mobile telecommunications network and a system for providing voice channel services

Art Unit: 2626

in a wireless telecommunication network, but lacks the method and system, wherein converting the audible input to application data further comprises:

comparing the audible input to preexisting voice information corresponding to a predetermined person;

determining authentication information corresponding to whether the user is the predetermined person; and

(c) outputting the authentication information.

Heck discloses the method and system, wherein step (3) comprises the steps of:

(a) comparing the audible input to preexisting voice information corresponding to a predetermined person (column 1, lines 13-14 with column 4, lines 49-53);

(b) determining authentication information (PIN) corresponding to whether the user is the predetermined person (column 1, lines 13-26 and column 4, lines 37-39); and

(c) outputting the authentication information (column 1, lines 49-56), to facilitate identification.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Wallner and Harada invention such that the application data comprises authentication information, as taught by Heck, to identify a person based on voice authentication, PIN, etc., to provide security (column 1, lines 13-26).

9. **Claims 36, 39 and 43** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Wallner, Harada and Kato and in further view of Heck (USPN 6,671,672).

Regarding **claims 36 and 39**, Mannings in view of Wallner, Harada and Kato disclose a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks disclosing the method further comprising the steps of:

authenticating a user based on the audible inputs
outputting the location information responsive to the user being successfully authenticated.

Heck discloses the method further comprising the steps of:

(f) authenticating a user based on the audible inputs (based on voice; column 1, lines 13-14), but lacks specifically (g) *outputting the location information* responsive to the user being successfully authenticated.

Instead, Heck discloses outputting the user provided password once the identity is verified (column 2, lines 25-28).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Wallner, Harada and Kato's invention such that it outputs the pertinent information (e.g. location information) once the user is successfully authenticated, to facilitate identification prior to releasing

Art Unit: 2626

personal information (i.e. redeem investments, transfer balances, etc.), as taught by Heck (column 1, lines 13-26).

Regarding **claims 47-48**, Mannings in view of Wallner and Harada disclose a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks disclosing the method further comprising the steps of:

authenticating a user based on the audible inputs
outputting the location information responsive to the user being successfully authenticated.

Heck discloses the method further comprising the steps of:

(f) authenticating a user based on the audible inputs (based on voice; column 1, lines 13-14), but lacks specifically (g) *outputting the location information* responsive to the user being successfully authenticated.

Instead, Heck discloses outputting the user provided password once the identity is verified (column 2, lines 25-28).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Wallner and Harada's invention such that it outputs the pertinent information (e.g. location information) once the user is successfully authenticated, to facilitate identification prior to releasing personal information (i.e. redeem investments, transfer balances, etc.), as taught by Heck (column 1; lines 13-26).

10. **Claims 37, 44-46 and 47-48** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Wallner and Harada and in further view of Heck (USPN 6,671,672).

Regarding **claims 47-48**, Mannings in view of Wallner and Harada disclose a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks disclosing the method further comprising the steps of:

authenticating a user based on the audible inputs
outputting the location information responsive to the user being successfully authenticated.

Heck discloses the method further comprising the steps of:

(f) authenticating a user based on the audible inputs (based on voice; column 1, lines 13-14), but lacks specifically (g) *outputting the location information* responsive to the user being successfully authenticated.

Instead, Heck discloses outputting the user provided password once the identity is verified (column 2, lines 25-28).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Wallner and Harada's invention such that it outputs the pertinent information (e.g. location information) once the user is successfully authenticated, to facilitate identification prior to releasing personal

Art Unit: 2626

information (i.e. redeem investments, transfer balances, etc.), as taught by Heck (column 1, lines 13-26).

Regarding **claims 37 and 44-46**, Mannings in view of Wallner, Harada and Ishii disclose a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks disclosing the method further comprising the steps of:

authenticating a user based on the audible inputs

outputting the location information responsive to the user being successfully authenticated.

Heck discloses the method further comprising the steps of:

(f) authenticating a user based on the audible inputs (based on voice; column 1, lines 13-14), but lacks specifically (g) *outputting the location information* responsive to the user being successfully authenticated.

Instead, Heck discloses outputting the user provided password once the identity is verified (column 2, lines 25-28).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Wallner, Harada and Ishii's invention such that it outputs the pertinent information (e.g. location information) once the user is successfully authenticated, to facilitate identification prior to releasing personal information (i.e. redeem investments, transfer balances, etc.), as taught by Heck (column 1, lines 13-26).

11. **Claim 38** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Wallner, Harada and Kato and in further view of Heck (USPN 6,671,672).

Regarding **claim 38**, Mannings in view of Wallner, Harada and Kato disclose a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks disclosing the method further comprising the steps of:

authenticating a user based on the audible inputs
outputting the location information responsive to the user being successfully authenticated.

Heck discloses the method further comprising the steps of:

(f) authenticating a user based on the audible inputs (based on voice; column 1, lines 13-14), but lacks specifically (g) *outputting the location information* responsive to the user being successfully authenticated.

Instead, Heck discloses outputting the user provided password once the identity is verified (column 2, lines 25-28).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Wallner, Harada and Kato's invention such that it outputs the pertinent information (e.g. location information) once the user is successfully authenticated, to facilitate identification prior to releasing

Art Unit: 2626

personal information (i.e. redeem investments, transfer balances, etc.), as taught by Heck (column 1, lines 13-26).

12. **Claim 41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mannings in view of Wallner and in further view of Heck (USPN 6,671,672).

Regarding **claim 41**, Mannings in view of Wallner disclose a mobile telecommunications network and a system for providing voice channel services in a wireless telecommunication network, but lacks disclosing the method further comprising the steps of:

authenticating a user based on the audible inputs
outputting the location information responsive to the user being successfully authenticated.

Heck discloses the method further comprising the steps of:

(f) authenticating a user based on the audible inputs (based on voice; column 1, lines 13-14), but lacks specifically (g) *outputting the location information* responsive to the user being successfully authenticated.

Instead, Heck discloses outputting the user provided password once the identity is verified (column 2, lines 25-28).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mannings in view of Wallner invention such that it outputs the pertinent information (e.g. location information) once the user is successfully

authenticated, to facilitate identification prior to releasing personal information (i.e. redeem investments, transfer balances, etc.), as taught by Heck (column 1, lines 13-26).


Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R. Jackson whose telephone number is 571-272-7619. The examiner can normally be reached on Monday, Tuesday and Thursday 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRJ


DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

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